

CALIFORNIA STATE SENATE SELECT COMMITTEE ON MANUFACTURED HOMES AND COMMUNITIES

2011-2012 LEGISLATIVE SESSION
Mobilehome Residency Law and related bills

Updated 2012 March 12

BILLS	SUBJECT	HISTORY (most recent action listed first)	NOTES
AB 317 Calderon	Mobilehome: local rent control ordinances Last amended: 2012 Jan 23 This bill would revise conditions under which a mobilehome tenancy is exempt from local rent control. It would specify the evidence upon which park management may rely to determine, whether the residence is the mobilehome owner's sole residence.	S/Judiciary A/Floor – Passed 44-22 A/Housing – Passed 4-0	Support: Western Manufactured Housing Communities Assoc. (Sponsor) Opposed: Golden State Manufactured Homeowners Assoc. (GSMOL); Western Center on Law & Poverty
AB 448 Ammiano	Property taxation: change in ownership. This bill would have expanded the property tax liability, and penalties, on property transfers, possibly affecting resident-owned mobilehome parks.	Died in Committee	
AB 466 Butler	Common interest developments: assessments. SPOT BILL	Died at Desk	
AB 579 Monning	Mobilehome parks: liability: attorney's fees. This bill would have permitted the award of attorney's fees to a local government entity in an action brought by the owner of a mobilehome park to challenge a local ordinance, such as rent control.	Died in Committee	Sponsor: Golden State Manufactured Homeowners Assoc.
AB 657 Gordon	Corporations: statement of information: Secretary of State. Allows a corporation to receive the annual renewal notice provided by the Secretary of State by email, among other provisions.	Chapter #204 (Statutes of 2011)	Sponsor: CA Sec'y of State

AB 697 Perez	Veteran: acquisition of home: interest of record. Authorizes the Department of Veterans Affairs to acquire a home, including a mobilehome, for the purpose of refinancing an existing mortgage loan, that is not an existing loan acquired under the Veterans' Farm and Home Purchase Act.	Chapter #368 (Statutes of 2011)	
AB 771 Butler	Common interest developments: requests for documents: fees. Requires that the seller of a separate interest in a CID provide copies of minutes of governing board meetings to prospective buyers, when requested, including estimate of actual costs, as specified.	Chapter #206 (Statutes of 2011)	Sponsor: CA Assoc. of Realtors
AB 805 Torres	Common interest developments Last amended: 2012 Jan 4 This bill comprehensively reorganizes and recodifies the Davis-Stirling Act.	S/Judiciary S/Trans & Housing – Passed 9-0 A/Floor – Passed 73-0 A/Judiciary – Passed 9-0 A/Housing – Passed 7-0	Support: CA Law Revision Commission (Sponsor) Opposed:
AB 806 Torres	Common interest developments Last amended: 2012 Jan 4 This bill would make various technical conforming changes to reflect a proposed revision and recodification of the Davis-Stirling Common Interest Development Act.	S/Judiciary S/Trans & Housing – Passed 9-0 A/Floor – Passed 73-0 A/Judiciary – Passed 9-0 A/Housing – Passed 7-0	Sponsor: CA Law Revision Commission (Sponsor) Opposed:
AB 928 Wieckowski	Housing and community development: Mobilehome parks. SPOT BILL	Died at Desk	
AB 1084 Davis	Veterans' farm and home purchases: definitions: home. Expands the definition of a cooperative housing corporation to include a mobilehome in a shared equity cooperative.	Chapter #377 (Statutes of 2011)	Sponsor: CA Assoc. of Veterans Services Agencies
AB 1090 Blumenfield	Taxation: property tax deferral. Among other provisions, allows a county to elect to participate in a deferred property tax program for seniors and disabled homeowners.	Chapter #369 (Statutes of 2011)	

<p>AB 1511 Bradford</p>	<p>Real property: disclosures: transmission pipelines Last amended: 2012 Mar 8</p> <p>Adds to the conditions on limits of liability regarding natural hazards, specifically when determining whether a property is located within 2,000 feet of a gas transmission or hazardous liquid pipeline.</p>	<p>A/Judiciary (Mar 20)</p>	<p>Support:</p> <p>Opposed:</p>
<p>AB 1694 Fuentes</p>	<p>Gas pipeline safety inspections</p> <p>Would require that if a mobilehome park property operator demonstrates compliance with the initial CPUC gas pipeline inspection, additional inspections be made pursuant to a risk-based inspection schedule adopted by the CPUC.</p>	<p>A/Utilities & Commerce</p>	
<p>AB 1795 Silva</p>	<p>Mobilehomes: rent increases</p> <p>Makes a technical, nonsubstantive change to rent increase notice provisions.</p>		
<p>AB 1797 Torres</p>	<p>Mobilehome Park Purchase Fund</p> <p>Would modify the maximum loan amount to 100% of the approved mobilehome park conversion costs attributable to the low-income households or spaces in the park, when approved by HCD</p>	<p>A/Housing & Community Devel.</p>	<p>Sponsor: Golden State Manufactured Homeowners Assoc. (GSMOL)</p> <p>Opposed:</p>

<p>AB 1830 V.M.Perez</p>	<p>Water service: mobilehome parks</p> <p>Would authorize the CPUC, if it finds, after an investigation, that the mobilehome park has charged an unjust or unreasonable rate in violation of existing law, to order the mobilehome park to reimburse the complainant and any other current and former tenants affected by the rate, calculated as prescribed, if no discrimination will result from the reimbursement.</p>	<p>A/Utilities & Commerce</p>	
<p>AB 1838 Calderon</p>	<p>Common interest developments: association records</p> <p>Existing law requires the CID association to provide a specified form that contains an estimate of the costs associated with providing the prospective purchaser with requested documents. This bill would require that the financial disclosure form be printed in at least 10-point type.</p>	<p>A/Judiciary</p>	
<p>AB 1865 Alejo</p>	<p>Residential tenancies: eviction: notices</p> <p>Would require that unlawful detainer notices, in addition to containing contact information for the county bar association and other legal services organizations that provide service to low-income persons, also contain contact information of any nonprofit bar association within the county that is duly authorized by the State Bar as a lawyer referral provider.</p>	<p>A/Judiciary</p>	

<p>AB 1938 Williams</p>	<p>Mobilehomes: rental agreements</p> <p>Would require mobilehome park management to include on rental agreements a written summary of all specified charges a homeowner would be obligated to pay under the rental agreement. Would prohibit the inclusion of any provision that would authorized the management to increase a homeowner’s rent, or otherwise separately charge the homeowner for losses incurred by the park owner, as specified. Would prohibit the inclusion of any provision that purports to deny a homeowner a right to a trial by jury or that would mandate binding arbitration.</p>	<p>A/Housing & Comm. Devel.</p>	<p>Sponsor: Golden State Manufactured Homeowners Assoc. (GSMOL)</p> <p>Opposed:</p>
<p>AB 2150 Atkins</p>	<p>Mobilehome parks: homeowner bill of rights</p> <p>Would require a rental agreement to include a notice entitled “Homeowners’ Bill of Rights” and would require the mobilehome park management to provide a copy of the notice to all homeowners prior to February 1 of each year.</p>	<p>A/Housing & Comm. Devel.</p>	<p>Sponsor: Golden State Manufactured Homeowners Assoc. (GSMOL)</p> <p>Opposed:</p>
<p>AB 2272 Wagner</p>	<p>Mobilehomes: injunctions</p> <p>Would permit mobilehome park management to file a petition, for an order to enjoin park rule violations, within the limited jurisdiction of the superior court located in the judicial district in which the mobilehome park is located.</p>		

<p>AB 2273 Wieckowski</p>	<p>Common interest developments: required documents</p> <p>Would provide that an owner of a separate interest shall, within 30 days of transferring title, provide to the association’s designated representative, a copy of the owner’s deed or other title transference document to the purchaser of the separate interest and a written notice of the purchaser’s mailing address, with exceptions.</p>		
<p>AB 2597 Fuentes</p>	<p>Mobilehome Parks Act: notice of violations</p> <p>Makes technical, nonsubstantive changes to provisions regarding inspections and notice of violations in mobilehome parks.</p>		
<p>ABx1 29 Blumenfield</p>	<p>State responsibility areas: fire prevention fees. Requires the Board of Forestry and Fire Protection, or/before Sept. 1, 2011, to adopt emergency regulations to establish a fire prevention fee to be charged on each structure, including mobile and manufactured homes, on a parcel that is within a state fire responsibility area.</p>	<p>Chapter #8 (Statutes of 2011-12, 1st Ex Sess.)</p>	
<p>SB 110 Rubio</p>	<p>Real property disclosures: mining operations. Enhances the statutory limitation on liability, in re disclosure of natural hazards in property transactions, of notice of nearby mining operations.</p>	<p>Chapter #253 (Statutes of 2011)</p>	<p>Sponsor: CA Construction and Industrial Materials Association</p>
<p>SB 149 Correa</p>	<p>Mobilehomes Last amended: 2012 Jan 11</p> <p>Requires the Dept. of Housing & Community Development or a local agency to include in its mobilehome park permit-to-operate invoice a notice of the existence of the Mobilehome Residency Law.</p>	<p>A/Desk S/Floor – Passed 31-1 S/Appropriations – 28.8 S/Trans & Housing – Passed 6-0</p>	<p>Support: Western Manufactured Housing Communities Assoc. (WMA)</p> <p>Opposed:</p>

SB 150 Correa	Common interest developments. Exempts new owners of a separate interest in a CID from subleasing prohibitions, under specific circumstances.	Chapter #62 (Statutes of 2011)	Sponsor: CA Association of Realtors
SB 209 Corbett	Common interest developments: electric vehicle charging stations. Voids CID homeowner contracts that prohibit electric vehicle charging stations. Requires homeowner to be responsible for various costs associated with maintaining and repairing the station.	Chapter #121 (Statutes of 2011)	
SB 337 Kehoe	Common interest developments: tenancy: political signs. Prohibits a landlord from prohibiting a tenant from posting or displaying political signs, except under certain circumstances. Also would require a tenant to comply with the time period established by local ordinance for posting and removal of signs or, in the absence of those provisions, by reasonable time limits, as specified, by the landlord.	Chapter #383 (Statutes of 2011)	Sponsor: Amer. Civil Liberties Union
SB 376 Fuller	Real estate brokers Last amended: 2011 Aug 15 This bill would revise the definition of “real estate broker” to include a person who performs those actions in connection with a chattel mobilehome loan, as specified.	A/Floor – Inactive File A/Appropriations – Passed 17-0 A/Business & Prof. – Passed 9-0 S/Floor – Passed 40-0 S/Appropriations – 28.8 S/Business & Prof. – Passed 9-0	Support: Western Manufactured Housing Communities Assoc. (Sponsor) Opposed:
SB 444 Evans	Land use: subdivisions: rental mobilehome park conversion. In regards to a proposed subdivision of a mobilehome park, this bill would have clarified that a local agency is required to consider the results of a survey of the park’s residents in making its decision to approve the proposal.	Failed passage	Sponsors: Counties of Sonoma and Ventura; Golden State Manufactured Homeowners Assoc.
SB 507 DeSaulnier	Property taxation: change in ownership statement. Changes penalties and filing deadlines for homeowners, including manufactured homeowners, when submitting change of ownership statement to the county assessor’s office.	Chapter #708 (Statutes of 2011)	Sponsor: CA Assessors Assoc.

<p>SB 561 Corbett</p>	<p>Common interest developments: delinquent assessments Last amended: 2011 April 12</p> <p>This bill would impose restrictions and prohibitions on any 3rd party acting to collect payments or assessments on behalf of a common interest development association. It would, specifically, prohibit a third party from acting as a trustee in a foreclosure proceeding.</p>	<p>A/Judiciary S/Floor – Passed 25-15 S/Judiciary – Passed 4-1</p>	<p>Support: CA Alliance of Retired Americans (Sponsor); Center for CA HOA Law (Sponsor); AARP; CA Advocates for Nursing Home Reform; Congresswoman Speier; Consumer Attys of CA; Older Women’s League of CA – Sac Chapter; Older Women’s League</p> <p>Opposed: CA Assoc. of Community Mgrs; Community Associations Institute; Exec. Council of Homeowners (ECHO)</p>
<p>SB 562 Cmte on Transportation and Housing</p>	<p>Housing omnibus. Among other provisions, increases fees on behalf of the Manufactured Home Recovery Fund.</p>	<p>Chapter #239 (Statutes of 2011)</p>	
<p>SB 563 Cmte on Transportation and Housing</p>	<p>Common interest developments: meetings. Permits and sets forth restrictions for common interest development board meeting to be conducted via teleconference.</p>	<p>Chapter #257 (Statutes of 2011)</p>	
<p>SB 616 DeSaulnier</p>	<p>Common interest developments: open meetings Last amended: 2012 Jan 4</p> <p>Makes clarifying changes to provisions regarding meetings of the board by electronic means.</p>	<p>A/Desk S/Floor – Passed 37-0 S/Trans & Housing – Passed 9-0</p>	
<p>SB 674 Padilla</p>	<p>Telecommunications: master-metering: data security. Provides that utility companies’ energy efficiency rebates, not including other rebates such as CARE, shall be retained by the master-meter customer for reinvestment in energy efficiency programs. Also requires customer consent prior to utilities companies’ giving of customer data to 3rd party.</p>	<p>Chapter #255 (Statutes of 2011)</p>	

<p>SB 759 Lieu</p>	<p>Common interest developments: artificial turf. Would have provided that a provision of any of the governing documents of a common interest development be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of artificial turf or other synthetic surface that resemble grass. This prohibition would not have prohibited an association from applying design and quality standards rules.</p>	<p>Vetoed</p>	<p>Sponsor: San Diego County Water Authority</p>
<p>SB 880 Corbett</p>	<p>Common interest developments: electric vehicle charging stations. Enhances the provisions of SB 209 (Chap. 121; 2011) by authorizing the CID board to grant exclusive use of a portion of the common area without the affirmative vote of the membership for the purpose of installing and using an electric vehicle charging station, under specific circumstances.</p>	<p>Chapter #6 (Statutes of 2012)</p>	
<p>SB 947 Cmte on Governance and Finance</p>	<p>Property taxation. Among other provisions, includes resident-owned parks in the definition of real property, for the purposes of property taxation, specifically including an interest in a unit or lot within a cooperative housing corporation.</p>	<p>Chapter #351 (Statutes of 2011)</p>	<p>Sponsor: State Board of Equalization</p>
<p>SB 1173 Wyland</p>	<p>Mobilehome: ombudsman sign</p> <p>Would make technical, nonsubstantive changes to provision regarding posting of mobilehome ombudsman notice.</p>		
<p>SB 1244 Harman</p>	<p>Common interest developments: foreclosure procedures</p> <p>Would authorize the CID association specified actions in regards to public posting of foreclosure notice and notice of postponement or change of location of sale.</p>	<p>S/Judiciary</p>	

SBx1 17 Cmte on Budget & Fiscal Review	State responsibility areas: fire prevention fees. Would have required the Board of Forestry and Fire Protection, on or/before Sept. 1, 2011, to adopt emergency regulations to establish a fire prevention fee to be charged on each structure, including mobile and manufactured homes, on a parcel that is within a state fire responsibility area.	Dead	
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